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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/017,662	12/14/2001	Rory Ward	NETS0084	9762
22862	7590	01/03/2006	EXAMINER	
GLENN PATENT GROUP 3475 EDISON WAY, SUITE L MENLO PARK, CA 94025			VU, THANH T	
			ART UNIT	PAPER NUMBER

2174

DATE MAILED: 01/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/017,662	WARD, RORY	
	<b>Examiner</b>	<b>Art Unit</b>	
	Thanh T. Vu	2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 05 October 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 65-86 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 65-86 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

### **DETAILED ACTION**

This communication is responsive to Amendment, filed 10/05/2005.

This action is made final.

Claims 65-86 are pending in this application. In the Amendment, claims 65, 70, 74, 79, and 83 were amended, and claims 84-86 were added.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 65-83 are rejected under 35 U.S.C. 102(e) as being anticipated by Rollins et al.

("Rollins" Pub. No. : US 2002/0103721.

Per claim 65, Rollins teaches a method to facilitate user interaction with merchant web sites, the method comprising operations of:

Independent of user interaction with merchant web sites, pre-preparing a proxy platform corresponding to participating merchant web sites by, performing operations comprising:

planning a modified presentation of each participating merchant web site including one or changes to functionality of the web site ([0056]);

generating rules to fill-in purchase checkout forms of each participating merchant web site with data from users' cyber wallets accessible to the proxy platform ([0045], [0122]) ;

responsive to a user's request to view a merchant web site for which a corresponding pre-prepared proxy platform exists, performing operations comprising:

utilizing the requested web site's proxy platform as an overlay to provide the user with the modified presentation instead of the requested web site ([0056]);

responsive to user initiation of a purchase transaction upon the requested web site, the proxy platform automatically retrieving personal data from the user's cyber wallet and entering said retrieved information upon the requested web site in accordance with the rules to complete the initiated purchase transaction ([0045]; [0114]; [0137]).

Per claim 66, Rollins teaches the method of claim 65, the utilizing operation further comprising: redirecting user requests to a proxy platform web site instead of the requested web site (fig. 7A and 7B; [0061]).

Per claim 67, Rollins teaches the method of claim 65, wherein the rules include mapping items of data from the users' cyber wallets to corresponding fields in the merchants' purchase checkout forms ([0162]).

Per claim 68, Rollins teaches the method of claim 65, wherein each cyber wallet includes data pertaining to a user and including at least finance data and shipping data ([0162]).

Per claim 69, Rollins teaches the method of claim 65, where: the modified presentation includes a quick checkout button, the operation responsive to user initiation of a purchase transaction upon the requested web site is responsive to user activation of the quick checkout button ([0162]).

Per claim 70, Rollins teaches the method of claim 65, the operations further comprising: on a predetermined schedule, checking the merchant web page to determine whether any change

has occurred rendering the proxy platform at least partially invalid ([0132]; [0167]), if so, performing operations including re-performing at least one of the planning and generating operations sufficient to restore the proxy platform to a valid state ([0166]).

Per claim 71, Rollins teaches the method of claim 65, where: the operation of preparing the proxy platform comprises preparing a different merchant profile for each of multiple merchant web sites, where each merchant profile includes the modified presentation and rules applicable to that merchant, the utilizing operation comprises utilizing the proxy platform, according to the merchant profile corresponding to the requested web site, as an overlay to provide the user with the modified presentation instead of the requested web site (figs. 7A and 7B; [0171]; [0061]).

Per claim 72, Rollins teaches the method of claim 65, where the rules Include: oxy rules applicable to data transmitted from the merchant web site to the user, req-proxy rules applicable to data transmitted by the user to the merchant web site ((figs. 7A and 7B; [0171]; [0061]).

Per claim 73, Rollins teaches the method of claim 65, where the cyber wallets comprise one or more predetermined data storage sites (fig. 7A and 7B; database 722).

Claims 74-82 are rejected under the same rationale as claims 65-73 respectively.

Claim 83 is rejected under the same rationale as claim 74.

Claim 84 is rejected under the same rationale as the combination of claims 65 and 70.

Per claim 85, Rollins teaches the method of claim 84, where the proxy platform is operated by an online services provider having various subscribers, and the operations further comprise the internet services provider rendering services of the proxy platform exclusively to said subscribers. (paragraphs 0030-0033)

Art Unit: 2174

Per claim 86, Rollins teaches the method of claim 84, where the proxy platform is operated by an online services provider having various subscribers, and the operations further comprise:

In addition to operating the proxy platform, the online services provider operating the cyber wallets. (paragraphs 0030-0033)

***Response to Argument***

In the remarks, applicant has argued in substance that:

1) Rollins fails to teach the operations performed by the proxy platform are independent of user interaction with merchant websites.

2) Rollins fails to teach automatically retrieving personal data from user's cyber wallet"

Examiner respectfully disagrees with applicant's arguments and resubmits that

1) The proxy platform in Rollins, IOM, operates independently from user interaction with merchant websites because IOM is a third party web site that is separate from the merchant websites. (paragraph 0063) Furthermore, operations performed by IOM, such as per-filling an order form, protecting customer information, adaptive single-click transactions... are also independent of the merchant websites. (paragraphs 0137, 0145, 0162) These operations are performed using information and methods stored within the IOM. (paragraphs 0137, 0145, 0162)

2) During patent examination, the pending claims must be "given >their< broadest reasonable interpretation consistent with the specification." > In re Hyatt, 211 F.3d 1367, 1372, 54 USPQ2d 1664, 1667 (Fed. Cir. 2000). Although the claims are interpreted in light of the

specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Applicant always has the opportunity to amend the claims during prosecution, and broad interpretation by the examiner reduces the possibility that the claim, once issued, will be interpreted more broadly than is justified. *In re Prater*, 415 F.2d 1393, 1404-05, 162 USPQ 541, 550-51 (CCPA 1969).

In this case, the claim recites, “automatically retrieving personal data from the user’s cyber wallet.” Rollins teaches this limitation because IOM “automatically populates or pre-fills” the order page with customer information received from wallet server. (paragraph 0142)

### *Conclusion*

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Art Unit: 2174

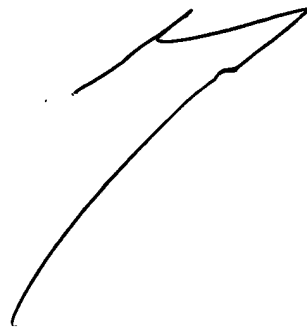
***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanh T. Vu whose telephone number is (571) 272-4073. The examiner can normally be reached on Mon-Thur and every other Fri 7:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L. Kincaid can be reached on (571) 272-4063. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thanh T. Vu

A handwritten signature in black ink, consisting of a series of connected loops and strokes, positioned to the right of the printed name.